

RAYMOND C. CABALLERO  
MAYOR



## CITY COUNCIL

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
AUGUST 27, 2002  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor Amador Valenzuela, Iglesia del Dios Vivo, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

### Mayor's Presentations:

1. Recognition of OMB's "Distinguished Budget Presentation" - Award by the Government Finance Officer's Association
2. Honorary Citizen - Maurice S. Parker
3. Organized Labor Week - 9/1 - 9/7
4. El Paso City and County State Veterans Home Joint Task Force
5. El Paso International Airport Week 8/27- 8/31

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Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

Representatives Sumrall, Medina and Sariñana were not present for the vote.

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\*Motion made, seconded and unanimously carried to postpone to Wednesday, September 4, 2002, the report from Ms. Richarda Momsen, Municipal Court Clerk.  
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### \*RESOLUTION

Be it resolved by the City Council of the City of El Paso:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the **FY2003 Alfresco! Fridays**, to be held at the Arts Festival Plaza, as recommended by the Arts Resources Department's Staff.

1. Dan Lambert for Trio of the Southwest; one performance on Friday, September 6, 2002; cost of \$500.00.

2. Luis Munoz for Mariachi Los Galleros; one performance on Friday, September 13, 2002; cost of \$800.00.
3. Stefan Schyga for Café Flamenco; one performance on Friday, September 20, 2002; cost of \$800.00.
4. Mark Alvarado for Border Roots; one performance on Friday, September 27, 2002; cost of \$500.
5. Marty Olivas for the Eklektic Jazz Band; one performance on Friday, October 4, 2002; cost of \$1,250.
6. Thomas Fraga for Tommy Fraga and the Jazz Unlimited Orchestra; one performance on Friday, October 11, 2002; cost of \$1,000.00.
7. Miguel Garcia for Karizma Band; one performance on Friday, October 18, 2002; cost of \$800.00.
8. Fernando Lechuga for Azucar; one performance on Friday, October 25, 2002; cost of \$800.00.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following grant application on behalf of the Arts Resources Department, for submission to the National Endowment For The Arts (NEA) and to sign the related contracts and documents should funds be granted, either in the requested amounts or at such lesser amounts as may be approved by the NEA. This grant will be used for the "Drop in on the Arts" youth project under the NEA Challenge America, Arts Learning for Children and Youth Program.

1. To request and receive \$15,000.00 to present the "Drop in on the Arts" summer youth program for FY 2003. A 1:1 match of City funds is required for the amount of the grant actually awarded.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

**THAT** the Mayor be authorized to sign an Interlocal Agreement, between the CITY OF EL PASO, TEXAS TECH UNIVERSITY HEALTH SCIENCES at El Paso, and the EL PASO COUNTY HOSPITAL DISTRICT d/b/a R. E. THOMASON GENERAL HOSPITAL, whereby Texas Tech agrees to provide medical control and guidance to the City's EMS System, as well as other medical services, at a cost in FY-2003 to the City not to exceed \$728,026.00, as shown in Exhibit "A", and whereby Thomason Hospital agrees to act as the base station for the City's EMS System at no cost to the City. Said contract to have an effective date of September 1, 2002 and a termination date of August 31, 2003, with the option, upon mutual agreement by the parties, to extend the contract for one (1) additional one (1) year term. (Exhibit on file with this Resolution in the City Clerk's Office).

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and accept a grant award to the City of El Paso Municipal Court for a Juvenile Compliance Project Grant in the amount of \$30,060.00 for third year funding from the Office of the Governor, Criminal Justice Division, for the purpose of employing

personnel to monitor sentencing compliance and community service requirements by juvenile offenders; and that the Mayor be authorized to execute on behalf of the City of El Paso any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of in-kind funds, and any documents to request and accept an extension of the award ending date for the grant. Matching funds required in the amount of \$20,040.00.

That the El Paso City Council agrees in the event of loss or misuse of grant funds, the funds will be returned to the Office of the Governor in full.

NOTE: Resolution was revised to delete the language "Juvenile Justice and Delinquency Prevention".

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an amendment to the Memorandum of Understanding/Local Agency Agreement for Funding by and between the City of El Paso and the Texas Department of Public Safety to extend the ending date for the grant to allow the Police Department to expend the grant funding and complete the purchase of software and to obtain training to convert to the National and Texas Incident Based Reporting Systems (NIBRS/TIBRS) as the Police Department's method of reporting crime statistics.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lease Extension and Modification to the Commercial Lease, dated November 1, 1998, between **AVIS RENT A CAR SYSTEMS** and the **CITY OF EL PASO** to extend the term of the lease through October 31, 2004 and adjusting the rent. The Commercial Lease provides for the lease of approximately 5,010 square feet of property more particularly described therein.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, the County of El Paso and the West Texas Community Supervision and Corrections Department relating to additional "Project Spotlight" grant-funded programs whereby the Police Department will provide a minimum of two presentations regarding gangs to the parents of juveniles on probation. The County will pass through grant funding in the amount of \$3,795.00 to enable the City to purchase a multi-media projector for use in the program presentations.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a request to extend the time periods for the COPS MORE Grant #1999CLWX0259, Supplement #1 to that grant, and the COPS MORE grant #2000CLWX0038 from the U.S. Department of Justice, Office of Community Oriented Policing Services, by extending the award ending dates as follows: grant #1999CLWX0259 to March 31, 2004; the supplement to grant #1999CLWX0259 to March 31, 2005; and grant #2000CLWX0038 to February 29, 2004.

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**\*RESOLUTION**

**THAT** the Mayor is authorized to sign a Right-of-Entry Agreement on behalf of the City-County Health and Environmental District, between the CITY OF EL PASO and LAS PLACITAS DEL REY HOMEOWNERS ASSOCIATION to grant a right-of-entry upon, over, and through the roads in the LAS PLACITAS DEL REY SUBDIVISION, as necessary to perform mosquito fogging operations in order to protect the public health and welfare to expire on August 31, 2003.

That the Mayor be authorized to sign a First Amendment to the Texas Natural Resource Conservation Commission (TNRCC) Contract No. 582-2-47338, on behalf of the El Paso City-County Health and Environmental District, as related to the continuing operation of pollution control activities in the City of El Paso. This First Amendment allows for an extension of the original contract. There is no cost to the City County Health and Environmental District related to this First Amendment.

That the Mayor be authorized to sign the Agreement with the Texas State Library & Archives Commission ("the Commission"), together with related documents, for a grant under the Technical Assistance Negotiated Grant Program (Grant No. 476-03015) in the amount of \$72,905, on behalf of the El Paso Public Library. Funds received under the grant are to be spent on automation/technology assistance to enable the El Paso Public Library and member libraries of the Texas Trans-Pecos Library System to use and maintain information resource technology in accordance with the grant application previously submitted to and approved by the Commission. No matching funds are required.

**JOINT RESOLUTION/AGREEMENT OF THE CITY OF EL PASO AND THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD REQUESTING THAT THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION DISSOLVE THE EL PASO COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT-WESTWAY, IN ACCORDANCE WITH HOUSE BILL 1187, 74TH TEXAS LEGISLATURE.**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of El Paso and the Public Service Board of the City of El Paso:

1. The El Paso City Council and its Public Service Board are prepared to accept the transfer of the assets and liabilities of El Paso County Water Control and Improvement District-Westway, in accordance with the Agreement for the Management and Transfer of Westway Water and Wastewater System to the City of El Paso and its Public Service Board, and by this Resolution, accepts such transfer; and

2. The General Manager of El Paso Water Utilities Public Service Board is hereby authorized to execute all documents necessary to complete the transfer of Westway's assets to the City, and/or payment of Westway's debts from Westway's funds.

Mr. Ignacio Escandon, EPISO representative, introduced Mr. Luna from the community of Westway, and commented that EPISO, the community of Westway, the Water Improvement District of Westway, Public Service Board and the City of El Paso worked together to provide water services to the community of Westway. He thanked many individuals who assisted in resolving the water issues in Westway.

Mr. Jesus Luna, Westway community member, recognized the community of Westway, EPISO, and others who contributed to the success in providing water to Westway.

Mayor Raymond C. Caballero thanked Mr. Escandon and Mr. Luna and all those involved in the water project's success.

Mr. Jesus Solis commented that he was the President of the Westway Water District.

Representative Cobos clarified that the Resolution was to dissolve the El Paso County Water Control and Improvement District-Westway and questioned Mr. Solis if he was in favor of the dissolution.

Mr. Solis responded he had no problem with that; however, he was the President of the Westway Water District and it was his opinion that he be the speaker for the agenda item.

Representative Sumrall questioned the location of Westway.

Mayor Caballero responded near Vinton, Texas.

Mr. Nick Costanza, El Paso Water Utilities, commented that Mr. Solis was the President of the Westway community and noted that a joint effort was made between many entities to see the project materialize.

Representative Cook noted the item was listed as a part of District 1; however, in reality the property was located in El Paso County.

Representative Medina questioned whether or not this was the first step toward the El Paso Water Utilities overseeing water and sewage for the Lower Valley residents of El Paso County.

Mr. Costanza responded no and added that when the well failed in the 1990's, Westway immediately applied for emergency assistance from the City of El Paso, the PSB and from the State of Texas. He noted that the State of Texas requested the PSB upgrade their water system, with grant monies from the State, and subsequently, become the water provider for the community. He noted that this project has been ongoing for the last 10 years. He stated that the Lower Valley Water District was responsible for individuals residing in the Lower Valley outside the City limits.

Representative Medina responded he would not object to the Public Service Board becoming responsible for supplying water, etc. for residents in the Lower Valley.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement for Engineering Services between the **City of El Paso** and **Brock & Bustillos, Inc.**, for a project known as "**Retrofitting of Municipal Separate Storm Sewer System for Water Quality – Phase II**" for an amount not to exceed ONE HUNDRED ELEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$111,500.00).

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\*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a First Amendment to the Agreement for Architectural Services between the **City of El Paso** and **Boyd & Associates, Inc.**, for a project known as "Eastside Park Improvements" for an amount not to exceed FIVE THOUSAND TWO HUNDRED FIFTY-SIX DOLLARS AND NO/100 (\$5,256.00).

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a First Amendment to the Texas Natural Resource Conservation Commission (TNRCC) Contract No. 582-2-89438, on behalf of the El Paso City-County Health and Environmental District (EPCCHD), as related to the implementation and continuing operation of an Air Monitoring Program in the City of El Paso. This First Amendment allows for the EPCCHD to submit invoices directly to the project manager for the TNRCC. There is no cost to the City County Health And Environmental District related to this First Amendment.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign Texas Natural Resource Conservation Commission (TNRCC) Contract No. 582-3-55808 and associated materials, on behalf of the El Paso City-County Health and Environmental District (EPCCHD), as related to the operation and maintenance of monitoring activities for six (6) FRM Samplers (PM 2.5) from September 1, 2002 to August 31, 2004 for the continued operation of an Air Monitoring Program in the City of El Paso. The TNRCC is to provide ONE HUNDRED EIGHT THOUSAND AND 00/100 DOLLARS (\$108,000.00) for the first year. There is no cost to the City County Health and Environmental District.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the El Paso Museum of Art be authorized to serve alcohol at One Arts Festival Plaza at the reception honoring donors to the Museum Building Fund and Tom Lea Gallery on the evening of August 29, 2002.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**EASTSIDE SENIOR CENTER**

**DEPARTMENT ID: 51510404, ACCOUNT 502214**

1.     **CONTRACTOR:**       Raul Hernandez, Country Line Dance Instructor  
       **DATES:**           September 4, 2002 thru August 27, 2003  
       **RATE PER CL:**       \$20.00  
       **MAXIMUM AMT:**     \$1,000.00  
       **CONTRACT:**       2002/2003-043
  
2.     **CONTRACTOR:**       Miguel Medina, Aerobics Instructor  
       **DATES:**           September 2, 2002 thru August 28, 2003  
       **RATE PER CL:**       \$10.00  
       **MAXIMUM AMT:**     \$1,530.00  
       **CONTRACT:**       2002/2003-044

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**FATHER MARTINEZ SENIOR CENTER**

**DEPARTMENT ID: 51510160, ACCOUNT 502214**

1.     **CONTRACTOR:**       Veronica Luevanos, Arts & Crafts Instructor  
       **DATES:**           September 1, 2002 thru August 31, 2003  
       **RATE PER CL:**       \$5.50  
       **MAXIMUM AMT:**     \$1,540.00  
       **CONTRACT:**       2002/2003-045

**PAVO REAL RECREATION CENTER**

**DEPARTMENT ID: 51510115, ACCOUNT 502214**

2.     **CONTRACTOR:**       Martha Andrade, Aerobics Instructor  
       **DATES:**           September 4, 2002 thru December 31, 2002  
       **RATE PER CL:**       \$8.25  
       **MAXIMUM AMT:**     \$470.25  
       **CONTRACT:**       2002/2003-046
  
  3.     **CONTRACTOR:**       Irma Romero, Aerobics Instructor  
       **DATES:**           September 3, 2002 thru December 31, 2002  
       **RATE PER CL:**       \$9.25  
       **MAXIMUM AMT:**     \$536.50  
       **CONTRACT:**       2002/2003-047
  
  4.     **CONTRACTOR:**       Miguel Reyes, Karate Instructor  
       **DATES:**           September 3, 2002 thru December 31, 2002  
       **RATE PER CL:**       \$9.25  
       **MAXIMUM AMT:**     \$351.50  
       **CONTRACT:**       2002/2003-048
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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**WELLINGTON CHEW SENIOR CENTER  
DEPARTMENT ID: 51510214, ACCOUNT 502214**

CONTRACTOR: Amalia F. McCammon, Ceramic Instructor  
DATES: September 3, 2002 thru August 26, 2003  
RATE PER CL: \$17.50  
MAXIMUM AMT: \$1,312.50  
CONTRACT: 2002/2003-049

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NORTHEAST RECREATION CENTER  
DEPARTMENT ID: 51510107, ACCOUNT 501011**

1. CONTRACTOR: Charissa Mosley, Daycare Instructor Aide, Step 4  
DATES: September 2, 2002, thru August 29, 2003  
RATES PER HR: \$6.10  
CONTRACT NO: 2002/2003-023

**PAVO REAL RECREATION CENTER  
DEPARTMENT ID: 51510115, ACCOUNT 501011**

2. CONTRACTOR: Nancy Armendariz, Daycare Instructor, Step 1  
DATES: September 1, 2002, thru August 31, 2003  
RATES PER HR: \$6.45  
CONTRACT NO: 2002/2003-024
3. CONTRACTOR: Celia Hernandez, Instructor Aide, Step 1  
DATES: September 1, 2002, thru August 31, 2003  
RATES PER HR: \$5.35  
CONTRACT NO: 2002/2003-025
4. CONTRACTOR: Lisa Marie Perez, Daycare Director, Step 1  
DATES: September 1, 2002, thru August 31, 2003  
RATES PER HR: \$7.75  
CONTRACT NO: 2002/2003-026
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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**EASTSIDE SENIOR CENTER**

**DEPARTMENT ID: 51510404, ACCOUNT 502214**

CONTRACTOR: Cissie Harshbarger, Rhythm Exercise Instructor  
DATES: September 2, 2002 thru August 29, 2003  
RATE PER CL: \$12.80  
MAXIMUM AMT: \$1,959.00  
CONTRACT: 2002/2003-050

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**GALATZAN RECREATION CENTER**

**DEPARTMENT ID: 51510131, ACCOUNT 502214**

1. CONTRACTOR: Janice Connell, Martial Arts Instructor  
DATES: September 10, 2002 thru August 31, 2003  
RATE PER CL: \$9.55  
MAXIMUM AMT: \$4,469.40  
CONTRACT: 2002/2003-051

**NORTHEAST RECREATION CENTER**

**DEPARTMENT ID: 51510107, ACCOUNT 502214**

2. CONTRACTOR: Tomie Kay Caruth, Timekeeper/Scorekeeper Sports Leagues  
DATES: September 4, 2002 thru August 31, 2003  
RATE PER CL: \$6.50  
MAXIMUM AMT: \$1,950.00  
CONTRACT: 2002/2003-052

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER**

**DEPARTMENT ID: 51510074, ACCOUNT 501011**

CONTRACTOR: Evelyn Peña, Daycare Instructor Aide, Step 1  
DATES: September 1, 2002 thru August 31, 2003  
RATE PER HR: \$5.35  
CONTRACT NO: 2002/2003-062

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER  
DEPARTMENT ID: 51510074, ACCOUNT 502214**

1. CONTRACTOR: Fernando Arriaga, Karate Instructor  
DATES: September 1, 2002 thru August 31, 2003  
RATE PER CL: \$11.50  
MAXIMUM AMT: \$3,553.50  
CONTRACT: 2002/2003-053
2. CONTRACTOR: Emma Deguire, Ballet Folklorico Instructor  
DATES: September 1, 2002 thru August 31, 2003  
RATE PER CL: \$11.25  
MAXIMUM AMT: \$2,283.75  
CONTRACT: 2002/2003-054
3. CONTRACTOR: Anna M. Harkness, Ballet Instructor  
DATES: September 3, 2002 thru August 31, 2003  
RATE PER CL: \$10.00  
MAXIMUM AMT: \$1,600.00  
CONTRACT: 2002/2003-055

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**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS  
DEPARTMENT ID: 51010281, ACCOUNT 501011**

1. CONTRACTOR: Omar P. Alba, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-027
2. CONTRACTOR: Ailed Arvizu, Lifeguard, Step 3  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.20  
CONTRACT NO: 2002/2003-028

3. CONTRACTOR: Abraham Barragan, Pool Attendant, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.40  
CONTRACT NO: 2002/2003-029
4. CONTRACTOR: Justin Berry, Senior Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.80  
CONTRACT NO: 2002/2003-030
5. CONTRACTOR: Adriana Blackburn, Indoor Pool Manager, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$8.00  
CONTRACT NO: 2002/2003-031
6. CONTRACTOR: Michelle Cabral, Pool Attendant, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.60  
CONTRACT NO: 2002/2003-032
7. CONTRACTOR: Rafael E. Chavez, Swim Instructor, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.35  
CONTRACT NO: 2002/2003-033
8. CONTRACTOR: Bryant K. Collier, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-034
9. CONTRACTOR: Sabrina Cox, Pool Attendant, Step 3  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.80  
CONTRACT NO: 2002/2003-035
10. CONTRACTOR: Maricruz Gallegos, Pool Attendant, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.60  
CONTRACT NO: 2002/2003-036
11. CONTRACTOR: Ana Gastelum, Pool Attendant, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.40  
CONTRACT NO: 2002/2003-037
12. CONTRACTOR: Silvia Gonzalez, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-038
13. CONTRACTOR: Jacob W. Heller, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00

- CONTRACT NO: 2002/2003-039
14. CONTRACTOR: Thomas F. Jones, Lifeguard, Step 3  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.20  
CONTRACT NO: 2002/2003-040
15. CONTRACTOR: Charlotte Y. Jordan, Indoor Pool Manager, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$7.75  
CONTRACT NO: 2002/2003-041
16. CONTRACTOR: Jaime M. Jordan, Swim Instructor, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.35  
CONTRACT NO: 2002/2003-042
17. CONTRACTOR: Adrian Loya, Lifeguard Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-043
18. CONTRACTOR: Iantha Martinez, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-044
19. CONTRACTOR: Maria Moncivais, Pool Attendant, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.60  
CONTRACT NO: 2002/2003-045
20. CONTRACTOR: Brenda Muñoz, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-046
21. CONTRACTOR: Valerie Muñoz, Swim Instructor, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.35  
CONTRACT NO: 2002/2003-047
22. CONTRACTOR: Nova Nelson, Lifeguard, Step 3  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.20  
CONTRACT NO: 2002/2003-048
23. CONTRACTOR: Maria L. Ortiz, Pool Attendant, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.40  
CONTRACT NO: 2002/2003-049

24. CONTRACTOR: Ryan K. Quagliato, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-050
25. CONTRACTOR: Omar Ramirez, Pool Attendant, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.60  
CONTRACT NO: 2002/2003-051
26. CONTRACTOR: David Rivera, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-052
27. CONTRACTOR: Carlos Rodriguez, Swim Instructor Coordinator, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.85  
CONTRACT NO: 2002/2003-053
28. CONTRACTOR: Jennifer K. Sanchez, Lifeguard, Step 4  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.40  
CONTRACT NO: 2002/2003-054
29. CONTRACTOR: Jaime A. Schultz, Lifeguard, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$6.00  
CONTRACT NO: 2002/2003-055
30. CONTRACTOR: Guillermo Soriano, Pool Attendant, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.60  
CONTRACT NO: 2002/2003-056
31. CONTRACTOR: Kristin A. Villalva, Swim Instructor, Step 2  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.50  
CONTRACT NO: 2002/2003-057
32. CONTRACTOR: Jose A. Watkins, Pool Attendant, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$5.40  
CONTRACT NO: 2002/2003-058

**NOLAN RICHARDSON RECREATION CENTER**  
**DEPARTMENT ID: 51510074, ACCOUNT 501011**

34. CONTRACTOR: Belinda Fisher, Daycare Instructor Aide, Step 5  
DATES: September 3, 2002 thru August 31, 2003  
RATE PER HR: \$6.35  
CONTRACT NO: 2002/2003-060

35. CONTRACTOR: Ofelia Losoya, Daycare Director, Step 3  
DATES: September 3, 2002 thru August 31, 2003  
RATE PER HR: \$8.35  
CONTRACT NO: 2002/2003-061

NOTE: Item #33 from the above Resolution for Jimmy J. Zambrano, Indoor Pool Manager, Step 1, was postponed for two (2) weeks:

.....  
\*Motion made, seconded and unanimously carried to postpone two (2) weeks the Resolution that the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for the contract is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CONTRACTOR: Jimmy J. Zambrano, Indoor Pool Manager, Step 1  
DATES: October 1, 2002 thru September 30, 2003  
RATE PER HR: \$7.75  
CONTRACT NO: 2002/2003-059  
.....

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **WILLIAM M. HIDALGO** to assist the El Paso Public Library as a Computer Operator at a biweekly rate of \$491.82, for 20 hours per week. The term of the contract shall be for the period of August 28, 2002 through August 27, 2003.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SIGIFREDO MALDONADO** to assist the El Paso Public Library as a PC/LAN Specialist II at a biweekly rate of \$1,615.38, for 40 hours per week. The term of the contract shall be for the period of September 1, 2002 through August 31, 2003.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **SCOTT GORDLEY**, for the Information Technology Department, at a biweekly rate of \$1,769.23 for 40 hours per week. The term of the contract shall be for the period of August 28, 2002 through August 27, 2004.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **JOSE G. COBIAN** as an Accounting Technician for the City's Comptroller Department at the rate of \$12.22 per hour, not to exceed 40 hours per week. The contract period shall be from August 28, 2002 through February 28, 2003.

**\*RESOLUTION**

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: ALFREDO & NUBIA ACOSTA of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Deputy Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5309 Edmonton Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 1, Block 27, Colonia Verde Subdivision, Parcel C741-999-0270-1000

to be ONE HUNDRED SEVENTY THREE AND 20/100 DOLLARS (\$173.20) as reported by the Deputy Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Twenty Second day of April, 1999 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of One Hundred Seventy Three and 20/100 Dollars (\$173.20) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....  
**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement with WOODFIN CHASE SUITES to lease the company One (1) 6 Cubic Yard Dumpster for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

.....  
**\*NOTICE OF PUBLIC HEARING**

**To All Interested Parties:**

You are hereby notified that at 9:00 a.m. on the 24<sup>th</sup> day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 1607 Gene Torres Drive, in El Paso, Texas, which property is more particularly described as:



Lot: 26, Block 255, Vista Del Sol Unit Forty Six Replat "A", an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 54, Page 21 and 21A, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Lidia Nunez, (Owner), AKA Lidia Strickland, 1607 Gene Torres Drive, El Paso, Texas 79936, Lidia Nunez (Owner), AKA Lidia Strickland, 1720 Dale Douglas Drive, El Paso, Texas 79936, and Lidia Nunez (Owner), AKA Lidia Strickland, 10514 Montwood Drive, El Paso, Texas 79935, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....

## \*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 24<sup>th</sup> day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 404 Sycamore Way, in El Paso, Texas, which property is more particularly described as:

Lot: A portion of Lot 38, Block 6, Stiles Gardens, an Addition to the City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as shown in Exhibit A attached hereto and made a part hereof for all purpose intended.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Robert Warach, permanent administrator of the estate of Margarita Montes, deceased, 404 Sycamore Way, El Paso, Texas 79915, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing

Compliance Office of the Building Services Department, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
**\*NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 24<sup>th</sup> day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 4606 Alameda Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 45 through 48, Block 4, Orchard Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on File in Book 15, Page 31, Plat Records of El Paso County, Texas, Save and Except a portion thereof being more particularly described by metes and bounds as shown in Exhibit A attached hereto and made a part hereof for all purpose intended.

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Jose Ponce Villanueva and Rosa Angelica Garcia, 4681 Shifting Sand Drive, El Paso, Texas 79930, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*Motion made, seconded and unanimously carried to appoint Terrie Todd to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Escobar.

.....  
\*Motion made, seconded and unanimously carried to appoint Conrad Conde to the Bond Overview Advisory Committee (BOAC) by Representative Anthony Cobos.

.....  
\*Motion made, seconded and unanimously carried to appoint Nicole Pinon to the Ethics Review Commission by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #V893-999-2810-7500, \$471.48 per month installments on a balance of \$5,657.76 for 2000 & 2001 taxes; Michael & Maria E Heinz – 11719 Trey Burton Dr.
- B. PID #Y805-999-0260-0401, \$1,480.15 per month installments on a balance of \$8,880.90 for 2000 & 2001 taxes; Raymundo Ordonez – 7424 Alameda.
- C. PID #R230-001-0020-1500, \$214.51 per month installments on a balance of \$3,861.18 for 1993, 1994 & 1995 taxes; J M & Kay D Bates – 379 Rancho Viejo Dr.
- D. PID #D317-999-000B-7100, \$327.23 per month installments on a balance of \$7,853.52 for 1994, 1996, 1997, 1998, 1999, 2000, & 2001 taxes; Maria L & Maria D Calanche – 5935 Macias St.

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's second of two options to extend Contract 2000-212 between the City of El Paso and Acme Environmental Systems Co., El Paso, Texas, to provide asbestos abatement services for various locations citywide. The term of this extension is for one year, starting August 27, 2002, and ending August 27, 2003, or the Not To Exceed amount of \$104,482.00, whichever comes first.

Department: Public Works  
Funds Available: Various  
Funding Source: Various  
Total Award: \$104,482.00

.....  
\*Motion made, seconded and unanimously carried to approve the request that Council ratify the action of the Purchasing Director and the Mayor in authorizing emergency rental or portable chiller and repairs to existing chiller in the amount \$51,061.00. Additionally, it is requested that the Purchasing Director be authorized to issue a Purchase Order to Southwest Trane. (Contract No. 2002-234)

Award amount: \$51,061.00  
Funds available: 04102010-27503-508027 Project P540010CTY OMB Capital  
Acquisition Fund, City Capital Outlay  
Department: Public Works

\*Motion made, seconded and unanimously carried to award Bid No. 2002-180 Police Motorcycles

Award to: Barnett Harley-Davidson  
El Paso, Texas  
Item (s): 1 with Option O3  
Amount: \$137,390.00  
  
Department: El Paso Police Department  
Funds available: 04250201-508006-PMB0002130  
Funding source: FY2001 Certificates of Obligation (\$122,890.00)  
FY2003 Certificates of Obligation (\$14,500.00)  
Total award: \$137,390.00

The El Paso Police, Equipment Maintenance and Purchasing Departments recommend awards as this vendor has provided the Best Value Bid.

This is a fixed-price, single (one-time) purchase, to purchase ten [10] Police Motorcycles. There is one option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred and eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-153 Union Plaza Transit Terminal & Parking Garage

Mr. Ray Gilbert, citizen, noted that Certificates of Obligation were to be utilized for health and public safety issues. He noted that the Union Plaza Transit Terminal and Parking Garage project was a federal project funded with federal monies and questioned why the City was utilizing 1998 Certificates of Obligation for this project; additionally he questioned the dollar amount of 1998 Certificates of Obligation that had yet to be spent.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, explained that the 1998 Certificates of Obligation had been issued specifically for the Union Plaza Transit Terminal and Parking Garage purpose; however, the project experienced some delays.

Representative Medina questioned whether the State legislators meant the Certificates of Obligation were to be utilized for health, safety and welfare issues.

Mr. Gilbert responded no, that Council Members had made that decision and noted that the City had determined that \$400 million plus were required for health and safety issues, in addition to \$142 million for quality of life issues, over the next 10 years.

Mr. Charlie McNabb, Chief Administrative Officer, commented that the City had appointed a Citizen's Bond Advisory Committee prior to the 2000 Bond election in which the voters approved the quality of life bond issues. He explained that the Committee had made recommendations and had determined that the City would pay for infrastructure projects with Certificates of Obligation; however, quality of life issues would be paid for not by Certificates of Obligation but by a vote of the citizens of El Paso. He mentioned that the 1998 Certificates of Obligation had been issued prior to the year 2000 and were to be utilized for the Union Plaza Transit Terminal and Parking Garage. He noted that the City of El Paso has been utilizing old Certificate of Obligation monies.

Representative Cobos questioned the exact dollar amount for the 1998 Certificates of Obligation.

Mr. Chapman responded that for the Union Plaza Transit Terminal and Parking Garage 1998 CO's totaled approximately \$2 million.

Representative Cobos noted that the City could have easily expended monies from a reserve account, if necessary, and then reimbursed ourselves once the CO's were issued.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2002-153 Union Plaza Transit Terminal & Parking Garage

Contractor: Arrow Building Corporation  
El Paso, Texas

Department:	Sun Metro
Funds Available:	Various
Funding Source:	FTA & FY 98 COs
Items:	
	Base Bid I \$7,757,000.00
	Base Bid III \$ 221,000.00
	Base Bid IV \$ 272,000.00
	Alternate No. 3 \$ 125,000.00
	Alternate No. 4 \$ 70,000.00
	Alternate No. 5 \$ 14,000.00
	Alternate No. 6 \$ 35,000.00
	Alternate No. 7 \$ 577,000.00
	Alternate No. 8 \$ 193,000.00
Total Award:	\$9,264,000.00

The Departments of Engineering, Sun Metro and Purchasing recommend the award of this contract as indicated to Arrow Building Corporation, as this Offeror has provided the Best Value Proposal.

It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

.....  
\*Motion made, seconded and unanimously carried to award RFP No. 2002-218R Old West/Old El Paso Heritage Tourism Project

	Feasibility Study
Award to:	J. Greg Smith, Inc.
	Omaha, NE
Item (s):	All
Amount:	\$69,860.00

Department:	Economic Development
Funds available:	99010273-01101-502215
Funding source:	OMB, General Fund, Special Items, Outside Contracts
Total award:	\$69,860.00

The review committee for the award of Old West/Old El Paso Heritage Tourism Feasibility Study has met and reviewed the sole responsive proposal that was received. It is the recommendation of the committee to award the RFP to this firm. The proposal response addressed the scope and intent of the RFP.

Three (3) no bids were received. Additionally, random companies were selected from the list that had expressed interest in the RFP to determine why they did not submit responses. Most did not feel they could do the work in the budget that was available. Two (2) did not feel they could accomplish the work in this time frame due to other projects underway.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.

.....  
\*Motion made, seconded and unanimously carried to approve the request of Sandra Chavez to block off 3009-3024 Woodall Street between Suewood and Blackwood on August 31, 2002 from 5:00 p.m. to 11:59 p.m. for a block party. Approximately 50 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (disco; 2 amps). PERMIT NO. 02-103

.....  
\*Motion made, seconded and unanimously carried to approve the request of Citizens for Family Values to hold an awareness walk on August 31, 2002 from 10:00 a.m. to 12:00 noon. Route: 4800 Block of Montana (Loretto Shopping Center). Approximately 30 persons will take part. PERMIT NO. 02-106

.....  
\*Motion made, seconded and unanimously carried to approve the request of Spirit Life Christian Center to use amplification (1 amplifier, 3 microphones, 4 speakers) at Album Park on August 31, 2002 from 3:00 p.m. to 7:00 p.m. Approximately 10 persons will use amplification and 50 spectators are anticipated. PERMIT NO. 02-110

.....  
\*Motion made, seconded and unanimously carried to approve the request of Spirit Life Christian Center to use amplification (1 head amplifier, 3 microphones, 4 speakers) at Album Park on September 14, 2002 from 3:00 p.m. to 7:00 p.m. Approximately 10 persons will use amplification and 50 spectators are anticipated. PERMIT NO. 02-111

.....  
\*Motion made, seconded and unanimously carried to approve the request of City of El Paso Arts Resources Department & El Paso Museum of Art to use amplification (two to four 300 watt amps.) at the Arts Festival Plaza every Friday from September 6, 2002 thru October 25, 2002. Approximately 3 to 45 persons will use amplification and 500 spectators are anticipated per concert. PERMIT NO. 02-112

.....  
\*Motion made, seconded and unanimously carried to approve the request of Templo Luz Divina to use amplification (2 speakers, 2 microphones, 1 amplifier) at Wellington Chew Park on August 31, 2002 from 4:30 p.m. to 8:30 p.m. Approximately 30 persons will use amplification and 100 spectators are anticipated. PERMIT NO. 02-113

.....  
\*Motion made, seconded and unanimously carried to delete an Ordinance amending Title 2 (Administration and Personnel), by adding a new Chapter 2.36 (Development Board of Appeals), to establish a new board of appeals for subdivision and development issues.

.....  
**ORDINANCE 15179**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO SUN CITY CAB COMPANY AUTHORIZING THE USE OF PORTIONS OF PUBLIC RIGHTS-OF-WAY ON THE 800 BLOCK OF OREGON STREET AND THE 200 BLOCK OF SIXTH AVENUE WITH FOUR TAXICAB STANDS.**

There being no public comment, the vote was taken.

Motion duly made by Representative Sumrall, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
Motion made by Representative Cook, seconded by Representative Sariñana and carried to postpone three (3) weeks an Ordinance providing for the issuance of City of El Paso, Texas, Water and Sewer Revenue Bonds, Series 2002A, in the aggregate principal amount of \$1,000,000, for the purpose of improving and extending the City's water and sewer system and paying the costs related to the issuance of the bonds; and enacting provisions incident and related to the subject and purposes of this Ordinance.

Representative Sumrall voted Nay.

Representative Sumrall pointed out that the bonds were revenue bonds for the Public Service Board and would be paid back by funds generated by the Public Service Board.

Representative Cobos noted that the Bonds would not be guaranteed by the taxpayers' properties but by revenue generated from the item.

Representative Cook questioned whether language in the Bond Ordinance could be changed to read "allowing the City Council to determine whether lands are surplus to the needs of the system" . . . , regarding changing the language in the underlying Bond Ordinance that would not restrict the City in deciding whether or not to surplus land, belonging to the City; however, managed by the PSB.

Mr. Gordon responded that following a meeting between himself and Representative Cook, it was decided that he write an opinion letter to the City Attorney regarding the question of whether changing the language in the Ordinance - that the initial declaration that properties not expediently used for water and sewage systems - is to be made by the Board. He noted that he provided his opinion letter on July 3, 2002 to the City Attorney.

Representative Cook added that, even if it took 15 years, he would like to see that authority be given to the City Council Members to determine whether properties should be surplus to the system, not the PSB to decide. He moved to amend that language as read by Mr. Gordon to this Bond Ordinance. Representative Sariñana seconded.

Mr. Gordon explained he could not determine today whether or not making the language change would be an act of default and how it would affect this bond. He suggested postponing the Ordinance until he could make a determination and offer the proper advice.

Representative Cook asked members of the First Southwest Company if it would be proper to postpone the matter for one week, due to the current market trends.

A member of First Southwest Company responded that the matter was a 0% loan from the Texas Water Development Board.

Mr. Gordon recommended postponing the matter for three weeks.



Representative Sumrall noted that the next City Council may not be as astute as the current administration and might inflict harm upon the PSB in the future.

.....  
ORDINANCE 15180

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE CENTRAL BUSINESS ASSOCIATION OF EL PASO, INC., TO PERMIT TEMPORARY SIDEWALK VENDING FOR PARTICIPATING MERCHANTS WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY IN DOWNTOWN EL PASO FROM AUGUST 28, 2002 THROUGH JULY 3, 2003.**

Representative Cobos questioned whether City Council had previously approved a similar Ordinance.

Ms. Patricia Aauto, Director of Planning, noted that the application contained 17 additional locations for sidewalk vending for the downtown area. She noted that the fee had been prorated for 11 months and added that all requirements had been met.

Representative Escobar noted that a Legislative Review Committee meeting had been held where concerns had been brought to light and he questioned whether those concerns had been addressed.

Ms. Aauto explained that the Committee had recommended certain interim standards that were being followed under the Special Privilege and added that the Planning, Research and Development Department would be meeting with the Central Business Association and other entities to remedy the concerns.

Representative Escobar addressed specifically encroachments and hanging of merchandise and questioned whether those issues had been successfully addressed and also questioned whether or not the Special Privileges could be revoked at any time.

Ms. Aauto responded a maximum stacking height of seven feet had been established and explained other possible language changes pertaining to the downtown vendors. She added that following the outcome of the meetings, her Department would bring new language regarding Special Privileges to City Council Members for approval. Ms. Aauto remarked that a provision in the license notes that 30 days after the City has given Notice an opportunity to cancel the Special Privilege exists.

Representative Cobos noted that a large part of the tax base was generated by downtown revenue. He cautioned Representative Escobar to consider the benefits rather than the disadvantages regarding those downtown vendors.

Representative Escobar rebutted that he would continue to work with the City Department Heads and the Central Business Association to remedy the hazardous situations.

Ms. Aauto stated that the issue regarding over-stacking merchandise had been resolved and that the standard had been incorporated into the license.

Mr. Alonso Flores, Director of Operations at the El Paso Central Business Association, added that there had been a tremendous difference since that Legislative Review Committee meeting and many issues had been rectified.

Motion duly made by Representative Sumrall, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15181

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.24 (CITY PARKS AND RECREATION AREAS), SECTION 13.24.200 (RENTAL RATES AND USER FEES AUTHORIZATION) OF THE EL PASO MUNICIPAL CODE TO ESTABLISH OR REVISE PROGRAM, ACTIVITY, LEAGUE AND TOURNAMENT FEES.**

Motion duly made by Representative Escobar, seconded by Representative Power that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

Representative Rodriguez asked for an update regarding the rate fee changes.

Mr. Ray Cox, Interim Director of the Parks & Recreation Department, explained the rate fee schedule changes and noted that an increase would be made to the swim rates from \$1.25 to \$1.50.

There being no further public comment, the vote was taken.

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15182

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.40 (MUSEUM DEPARTMENT), SECTION 2. 40.010 (CREATED-DESIGNATION OF DEPARTMENT HEAD), OF THE EL PASO MUNICIPAL CODE TO CHANGE THE NAME OF THE DEPARTMENT TO THE MUSEUMS DEPARTMENT AND TO PROVIDE FOR ESTABLISHMENT OF DIVISIONS WITHIN THE DEPARTMENT FOR THE EL PASO MUSEUM OF ART, THE EL PASO HISTORY MUSEUM, AND THE EL PASO WILDERNESS PARK MUSEUM.**

Mayor Raymond C. Caballero requested agenda items numbered 14.F. through 14.00. be considered simultaneously.

There being no public comment, the vote was taken.

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15183

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.44 (COURTS); BY AMENDING SECTION 2.44.010 (CREATED) BY ADDING SUBSECTION E AND SECTION 2.44.040 (PRACTICE AND PROCEDURE); RELATING TO THE ESTABLISHMENT OF THE POSITIONS OF THE MUNICIPAL COURT CLERK AND CITY CLERK; AND THE CLARIFICATION OF PROCEDURES REGARDING THE ISSUANCE OF CITATIONS AND THE FILING OF DOCUMENTS IN THE MUNICIPAL COURT AND MUNICIPAL COURT OF APPEALS; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 - 1.08.030 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15184

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 11479 THAT CREATED THE CITY DEPARTMENT KNOWN AS THE DEPARTMENT OF FINANCIAL SERVICES; TO REVISE THE NAME OF THE DEPARTMENT TO THE FINANCIAL AND ADMINISTRATIVE SERVICES DEPARTMENT AND TO REVISE THE TITLE OF THE DEPARTMENT HEAD AND HIS DUTIES.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15185

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING A NEW DEPARTMENT TO BE KNOWN AS THE BUILDING AND PLANNING SERVICES DEPARTMENT.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                      Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15186

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING A NEW DEPARTMENT TO BE KNOWN AS THE MUNICIPAL SERVICES DEPARTMENT.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                      Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15187

The City Clerk read an Ordinance entitled: **AN ORDINANCE CREATING A NEW DEPARTMENT TO BE KNOWN AS THE COMMUNITY SERVICES DEPARTMENT.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None                      Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....

ORDINANCE 15188

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE EL PASO MUNICIPAL CODE TO SUBSTITUTE THE TERM "BUILDING PERMITS AND INSPECTIONS DEPARTMENT" FOR THE TERM "BUILDING SERVICES DEPARTMENT"; SUBSTITUTE THE TERM "MUNICIPAL SERVICES" FOR THE TERM "PUBLIC WORKS", AS MAY BE EXCEPTED HEREIN; SUBSTITUTE THE TERM "FLEET SERVICES DEPARTMENT" FOR THE TERM "EQUIPMENT MAINTENANCE DEPARTMENT"; SUBSTITUTE THE TERM "ARTS AND CULTURE DEPARTMENT" FOR THE TERM "ARTS RESOURCES DEPARTMENT"; AT ALL PLACES IN THE CODE WHERE SUCH TERMS APPEAR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15189

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE EL PASO MUNICIPAL CODE TO SUBSTITUTE THE TERM "BUILDING PERMITS AND INSPECTIONS DIRECTOR" FOR THE TERM "DEPUTY DIRECTOR FOR BUILDING SERVICES"; SUBSTITUTE THE TERM "BUILDING PERMITS AND INSPECTIONS ASSISTANT DIRECTOR" FOR THE TERM "ASSISTANT DEPUTY DIRECTOR FOR BUILDING SERVICES"; SUBSTITUTE THE TERM "CITY ENGINEER" FOR THE TERM "DEPUTY DIRECTOR FOR ENGINEERING"; SUBSTITUTE THE TERM "ASSISTANT CITY ENGINEER" FOR THE TERM "ASSISTANT DEPUTY DIRECTOR FOR ENGINEERING"; SUBSTITUTE THE TERM "FLEET SERVICES DIRECTOR" FOR THE TERM "DEPUTY DIRECTOR FOR EQUIPMENT MAINTENANCE"; SUBSTITUTE THE TERM "SOLID WASTE MANAGEMENT DIRECTOR" FOR THE TERM "DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT"; SUBSTITUTE THE TERM "SOLID WASTE MANAGEMENT ASSISTANT DIRECTOR" FOR THE TERM "ASSISTANT DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT"; SUBSTITUTE THE TERM "STREETS DIRECTOR" FOR THE TERM "DEPUTY DIRECTOR FOR STREETS"; SUBSTITUTE THE TERM "STREETS ASSISTANT DIRECTOR" FOR THE TERM "ASSISTANT DEPUTY DIRECTOR FOR STREETS"; SUBSTITUTE THE TERM "ARTS AND CULTURE DIRECTOR" FOR THE TERM "DIRECTOR OF ARTS RESOURCES"; SUBSTITUTE THE TERM "COMMUNITY AND HUMAN DEVELOPMENT DIRECTOR" FOR THE TERM "DIRECTOR OF COMMUNITY DEVELOPMENT"; SUBSTITUTE THE TERM "DEPUTY CHIEF ADMINISTRATIVE OFFICER" FOR THE TERM "DIRECTOR OF PUBLIC WORKS"; SUBSTITUTE THE TERM "CHIEF FINANCIAL OFFICER/DEPUTY CHIEF ADMINISTRATIVE OFFICER" FOR THE TERM "CHIEF FINANCIAL OFFICER"; AT ALL PLACES IN THE CODE WHERE SUCH TERMS APPEAR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS:           None                               Absent:           None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15190

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064, CLASSIFICATION AND COMPENSATION, TO SUBSTITUTE THE TERM "HUMAN RESOURCES DEPARTMENT" FOR ALL REFERENCES CONTAINED IN ORDINANCE 8064, CLASSIFICATION AND COMPENSATION, TO THE TERM "PERSONNEL DEPARTMENT".**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:           Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS:           None                               Absent:           None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15191

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064, CLASSIFICATION AND COMPENSATION, SUBSTITUTING THE TERM "HUMAN RESOURCES DIRECTOR" FOR ALL REFERENCES CONTAINED IN ORDINANCE 8064, CLASSIFICATION AND COMPENSATION, TO THE TERM "PERSONNEL DIRECTOR".**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES:           Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS:           None                               Absent:           None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....

ORDINANCE 15192

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE EL PASO MUNICIPAL CODE SUBSTITUTING THE TERM "HUMAN RESOURCES DEPARTMENT" FOR THE TERM "PERSONNEL DEPARTMENT" AT ALL PLACES IN THE CODE WHERE SUCH TERM APPEARS.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15193

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE EL PASO MUNICIPAL CODE SUBSTITUTING THE TERM "HUMAN RESOURCES DIRECTOR" FOR THE TERM "PERSONNEL DIRECTOR" AT ALL PLACES IN THE CODE WHERE SUCH TERM APPEARS.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15194

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 2, PERSONNEL DIRECTOR, TO CHANGE THE TITLE OF RULE 2 TO HUMAN RESOURCES DIRECTOR AND TO SUBSTITUTE THE TERM "HUMAN RESOURCES DIRECTOR" FOR ALL REFERENCES CONTAINED IN THE CIVIL SERVICE RULES TO THE TERM "PERSONNEL DIRECTOR".**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15195

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, THE CIVIL SERVICE RULES AND REGULATIONS, TO SUBSTITUTE ALL REFERENCES WITHIN THE CIVIL SERVICE RULES AND REGULATIONS TO THE TERM "PERSONNEL DEPARTMENT" WITH THE TERM "HUMAN RESOURCES DEPARTMENT".**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15196

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF CHIEF FINANCIAL OFFICER AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO CHIEF FINANCIAL OFFICER/DEPUTY CHIEF ADMINISTRATIVE OFFICER.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15197

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DEPUTY DIRECTOR FOR EQUIPMENT MAINTENANCE AND CHANGE THE TITLE TO FLEET SERVICES DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:



AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Item was revised to read Equipment Maintenance.  
Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15198

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ECONOMIC DEVELOPMENT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15199

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF ECONOMIC DEVELOPMENT ADMINISTRATOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15200

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ASSISTANT DEPUTY DIRECTOR FOR BUILDING SERVICES AND CHANGE THE TITLE TO BUILDING PERMITS & INSPECTIONS ASSISTANT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15201

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ASSISTANT DEPUTY DIRECTOR FOR ENGINEERING AND CHANGE THE TITLE TO ASSISTANT CITY ENGINEER.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15202

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ASSISTANT DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT AND CHANGE THE TITLE TO SOLID WASTE MANAGEMENT ASSISTANT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15203

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ASSISTANT DEPUTY DIRECTOR FOR STREETS AND CHANGE THE TITLE TO STREETS ASSISTANT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15204

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF ASSISTANT PERSONNEL DIRECTOR AND CHANGE THE TITLE TO HUMAN RESOURCES ASSISTANT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15205

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DEPUTY DIRECTOR FOR BUILDING SERVICES AND CHANGE THE TITLE TO BUILDING PERMITS & INSPECTIONS DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15206

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DEPUTY DIRECTOR FOR ENGINEERING AND CHANGE THE TITLE TO CITY ENGINEER.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15207

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DEPUTY DIRECTOR FOR SOLID WASTE MANAGEMENT AND CHANGE THE TITLE TO SOLID WASTE MANAGEMENT DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15208

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DIRECTOR OF ARTS RESOURCES AND CHANGE THE TITLE TO ARTS & CULTURE DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15209

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DIRECTOR OF COMMUNITY DEVELOPMENT AND CHANGE THE TITLE TO COMMUNITY & HUMAN DEVELOPMENT DIRECTOR**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15210

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF PERSONNEL DIRECTOR AND CHANGE THE TITLE TO HUMAN RESOURCES DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....

ORDINANCE 15211

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DIRECTOR OF PUBLIC WORKS AND CHANGE THE SPECIFICATIONS AND TITLE TO DEPUTY CHIEF ADMINISTRATIVE OFFICER.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15212

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DIRECTOR OF HISTORY MUSEUM AND CHANGE THE SPECIFICATIONS AND TITLE TO DEPUTY MUSEUMS DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

ORDINANCE 15213

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF DEPUTY DIRECTOR FOR STREETS AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO STREETS DIRECTOR.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15214

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF MUNICIPAL COURT CLERK AND CHANGE THE GRADE, SPECIFICATIONS AND TITLE TO MUNICIPAL CLERK.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15215

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO ADOPT AN AMENDED SALARY SCHEDULE FOR THE EXECUTIVE PAY PLAN TO INCLUDE A NEW MAXIMUM GRADE LEVEL.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

NOTE: Ordinances 15182 through 15217 were considered together.

.....  
ORDINANCE 15216

The City Clerk read an Ordinance entitled: **AN ORDINANCE REPEALING ORDINANCE NO. 012854, WHICH CREATED A CITY DEPARTMENT KNOWN AS THE COMMUNICATIONS DEPARTMENT.**

Motion duly made by Representative Cook, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos





Ms. Patricia Adatao, Director of Planning, advised City Council Members that the applicant was out of town and asked that City staff pursue her appeal request.

Representative Escobar questioned whether City staff could pursue Ms. Madrid's appeal as it appeared to be a conflict of interest.

Representative Cook moved to postpone for one week; there was no second.

Ms. Rita Rodriguez, City Attorney, advised Council Members it would be appropriate to delete the item.

Representative Cobos questioned what the decision of the Historic Landmark Commission was.

Ms. Adatao responded that the Commission had voted yesterday to recommend the applicant remove the metal tiles from the roof of the main structure, replace the roof structure and finally, place the metal tiles back on the roof and that the applicant use metal tiles currently in use on the accessory structure to replace any damaged metal tiles removed from the main structure. She stated the vote of the Commission was 5-2.

Representative Cook reiterated that the Historic Landmark Commission requested structural issues be taken care of and that a roof subsurface to be put on which seals the building from rain, etc.

.....  
No action was taken regarding Mural Memorial Presentation regarding the events of September 11, 2001. Request for support of project from City and other entities. (Leonel Rubio/Carlos Rossas – Alamo Elementary School)

Representative Cobos questioned whether or not he would be able to utilize discretionary funds to assist in paying for the mural.

Ms. Rita Rodriguez, City Attorney, noted that a finding must be made regarding "public purpose" in order to utilize discretionary funds and added that an agreement would also be required.

Mr. Leonel Rubio, Principal of Alamo Elementary School, commented on the purpose and idea of the mural and noted that muralist Carlos Rossas would be drawing the mural. He explained that he was present today to request funding to support the mural and its message.

Representative Cook noted that the mural would be painted on a public building and questioned whether the Legal Department would investigate the possibility of utilizing discretionary funds.

Ms. Rodriguez reiterated that an agreement with El Paso Independent School District would be required.

Representative Sumrall commented that it appeared as though the City was improving EPISD property and she hoped that the school district would provide the necessary funding. She thought the mural would be better located in a more central area of the City.

Mayor Raymond C. Caballero asked for a legal opinion and that the item be brought back to Council at a later date.

Representative Cobos explained that he would be spending his discretionary funds for the project and noted that the mural would be placed on a public street for all citizens to enjoy. He commended Messrs. Rubio and Rossas for bringing this to the attention of Council Members and reiterated that the mural would be a memorial regarding the events of September 11<sup>th</sup>.

Representative Medina questioned the projected cost of the mural and whether or not the El Paso Independent School Board had approved the mural. He questioned whether or not the School Board would approve funding for the project. He proposed that if the School Board would commit \$10,000.00, he would commit the remaining \$5,000.00.

Mr. Rubio responded that the project cost was \$15,000.00 and that the muralist's fee would be \$10,000.00. He noted that the project had not come before the School Board; however, Mr. Hector Martinez, Associate Superintendent of Operations, was aware of his intentions. Mr. Rubio hoped that the School Board would provide funding.

Representative Cobos thanked Representative Medina for his generous offer of \$5,000.00 and Representative Rodriguez suggested that Representative Medina utilize the opportunity as the first Public Arts project.

.....  
Motion made, seconded and unanimously carried to delete Sun Metro's lacking service to public – Sun Metro's employees are not at all helpful. They pose problems and post signs that do not explain or designate. Refuse to aid the elderly, disabled and very young with antiquated rules and poor attitude. These disenfranchised people are left without service. Complaints to Mr. Scott, Director, go unresolved and nothings changes for the better. (Patricia Horan)

.....  
Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to close the Public Hearing on the Proposed Budget for the City of El Paso for the Fiscal Year 2002-2003.

Representative Sumrall noted that the issue regarding consolidating the Parks & Recreation and Zoo Departments was resolved and that the two departments would not be consolidated. She added that Fire and Police Dispatch services would not be consolidating either. She noted that she had requested \$60,000.00 be budgeted for the "STARS" program and was pleased that the monies had been budgeted under the Police Department's budget.

.....  
**RESOLUTION**

**WHEREAS:** On August 17, 2002 the City Clerk published notice of a public hearing in the official newspaper of the City as provided by law; and,

**WHEREAS:** On August 27, 2002, a public hearing on the Proposed Budget was held by the City Council; and all taxpayers and interested citizens were given the right to be present and participate in such hearing:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the Proposed Budget for the City of El Paso, filed by the Mayor with the City Clerk on July 12, 2002, is hereby approved and adopted by the City Council, as amended, as the Annual Budget for the Fiscal Year 2002-2003, which begins on September 1, 2002 and ends on August 31, 2003.
2. That any balance in the General Fund subfund on August 31, 2002 shall be allocated first to restore the reserve for claims to \$1,000,000.
3. That the balances in each of the subfunds of the General Fund on August 31, 2002 (subfunds: Government Operations, Solid Waste Management Operations, Cash Reserve Fund, Convention & Performing Arts Center Operations) shall carry forward to the respective Sub-Fund.

4. That the amount of \$12,993,728 is hereby appropriated for FY 2003 equipment purchases for General Fund Departments. (**Schedule A** lists the preliminary proposed acquisitions. Council shall adopt the final list of proposed acquisitions at the time the certificates of obligation are issued.)

That \$262,799 shall be appropriated in the regular Capital Acquisition Fund for General Fund departments.

That \$521,100 shall be appropriated in the Airport Capital Acquisition subfund.

That \$961,000 shall be appropriated in the Capital Acquisition subfund for the capital acquisitions for the Solid Waste Management Department.

That the Mayor is authorized to delay or cancel items in accordance with the receipt of revenues and may substitute items if the program is not changed within a department.

5. That the budget for confiscated funds shall be provided by the Chief of Police by November 15, 2002, with a financial report showing all expenditures for Fiscal Year 2001-2002 for all confiscated or condemned monies in a format approved by the Chief Financial Officer. This report shall be presented to Council after being reviewed by OMB.
6. That no agreement for the expenditure of monies shall extend beyond the current fiscal year without the approval of Mayor and Council.
7. That any Budget Transfer over \$1,000, where the amounts in appropriation account numbers are not within the same program in each fund, shall be placed on Council agenda for approval by Council.

A budget transfer must be approved prior to the occurrence of the expenditure except for emergencies approved by the Mayor and ratified by the Council. That upon the Council awarding a construction project; the Mayor shall have the authority to set up the budget for that approved project.

Any budget transfer submitted to Mayor and Council shall be accompanied by an explanation from the department, reviewed by the Office of Management and Budget, and a recommendation from the Chief Administrative Officer and/or Chief Financial Officer. The explanation must be clear enough and provide sufficient detail for the Mayor and members of Council to determine the need for the transfer.

8. That the Mayor is authorized to establish budgets for grants and similar awards when the applications for such grants and awards have been approved previously by Council. All grant applications shall be reviewed by Office of Management and Budget and approved by the Chief Administrative Officer and/or the Deputy CAO for Financial and Administrative Services/CFO before being placed on Council agenda; the agenda item shall state clearly the type and amount of the match required by the grant.
9. That restricted fund(s) shall be expended only for purposes for which each restricted fund was established.
10. That all monies, in all funds except for grant funds, budgeted for the City's contribution to the Employee's Health Benefit Program, Worker's Compensation, Life Insurance and Unemployment Funds be deposited in its appropriate fund by the Comptroller before the closing of the fiscal year, in accordance with procedures established by the Deputy CAO for Financial and Administrative Services/CFO.

11. That merit increases for department heads are authorized as determined by the Mayor pursuant to all applicable rules of the Civil Service Commission. Merit increases for other employees are authorized in accordance with the rules of the Civil Service Commission. All merit increases are subject to the availability of funds as certified by the Mayor.
12. That no expenditure shall be made from the Park User Fee Fund, without the specific approval of the Mayor, unless there exists in the sub fund a cash balance of at least \$75,000.
13. That the services paid from the Postage, Library Copy Center, and the Fleet Services Department sub funds shall be financed on an internal service fund basis with sufficient charges from departments to cover all direct costs.
14. That the hotel motel taxes collected shall be used to fund the operations of the Convention and Visitors Bureau; the maintenance and operation, capital improvements, debt service requirements and other legal expenditures of hotel motel tax for the Greater El Paso Convention & Performing Arts Center and the Arts and Culture Department according to City Municipal Code 3.12.060 and State Statute. Expenditures from that fund shall be made only in accordance with the adopted budget. That City shall increase the Hotel Occupancy Tax rate from the current 5.5% to 7.0%.
15. That travel by employees outside the Continental United States must be approved in advance by the Mayor. The Department Head, following the administrative guidelines for travel, must authorize all other travel for employees. Travel will be audited for adherence to the guidelines. Additional travel requests, from funds requested above the adopted FY 2003 budget amount, will require prior approval by OMB, the CFO, and the CAO.

That any expenditure for a City Council member for travel that exceeds the FY 2002-2003 Council member's budget for discretionary funds for the Council Member's district must be approved by the Council and a funding source shall be identified by City Council. That Council Members shall follow the same travel policies as City employees.

16. That Council Members must notify the Director of the Office of Management and Budget of any expenditure from budgeted Council Special Projects so that staff maintains a current balance in the individual Council Members Districts.
17. That all obligations for the payment of money by City departments and agencies, including grantees, shall be made in accordance with procedures established by the Chief Financial Officer.

No employee or Council Member shall incur an obligation, whether for capital, supplies, wages, or otherwise, unless an adequate appropriation has been made in the budget to meet the obligation and that obligation has been incurred in accordance with the accounting, legal, budgetary, purchasing, and personnel policies and procedures of the City.

18. That positions funded by the fiscal year 2002-2003 Budget, including those in the Health District, and those listed in the Authorized Staffing Table, shall constitute the authorized positions for each department. Mayor and Council shall approve any change or addition in authorized positions, except for reclassifications, due to Civil Service Commission action and/or Grantor agency requirements. Requests for changes and additions shall be reviewed by the Chief Administrative Officer or Mayor upon recommendations from OMB, the Chief Financial Officer, and the Human Resources Director and shall show the effect on the Fiscal Year 2003 Budget and the estimated effect on expenditures for Fiscal Year 2004. Failure by department heads to comply with these requirements shall be the basis for disciplinary action pursuant to policies established by the Mayor and Civil Service Commission.

19. That any classified position which is identified for layoff upon adoption of the Budget, shall be funded until October 31, 2002 or sufficient time for the Human Resources to carry out the provisions of the Charter related to lay-offs.
20. That the funds allocated to the City-County Health District shall be spent in conformity with the budgeting, purchasing, and accounting policies and procedures of the City of El Paso. Personnel policies of the Health District shall conform, as nearly as possible, to the policies of the City and shall be filed with the City Human Resources Department. The City-County Health District shall submit changes in these policies to the Human Resources Director for review and recommendation before adoption.
21. Competency increases for all classified and unclassified employees, except for contractual employees unless provided for in the contract or otherwise provided by Council, are budgeted in Fiscal Year 2003 through August 31, 2003.
22. That salaries for unclassified positions, shall continue at the same level as in Fiscal Year 2002 unless otherwise provided in the Mayor's filed budget, and based upon the Form D Salary and Benefits Work Sheets, subject to any COLA's, competency increases, merit increases, or reclassifications which may apply as provided by this budget.
23. The compensation of Municipal Judges and substitute Associate Municipal Judges shall continue at the same level as in fiscal year 2002 unless otherwise provided in the Mayor's filed budget.
24. That a City-owned vehicle shall not be driven home unless the criteria for the administrative policy on take home vehicles has been met and approved by the CAO. That the Mayor may authorize City staff a car allowance in lieu of a take home vehicle.
25. That a revision of the Capital Improvements Program (Construction Projects List) shall be submitted to Mayor and Council no later than October 15, 2002.
26. That an amount equal to any deficit in the uniformed and non-uniformed personal services expenditures in the general fund will be transferred, by the Comptroller, from the salary reserve in the non-departmental appropriations, to each department in the general fund having such a deficit. Transfers are to be computed after the budgeted monies for employee's health benefits, worker's compensation, and unemployment funds have been deposited to appropriate funds and before closing the fiscal year.
27. That the Mayor is authorized to make such budget transfers and staffing table changes as are needed to close completed grants and completed capital project accounts.
28. The rates of the Foreign Trade Zone shall be set such that the Foreign Trade Zone is self-sufficient. The Airport shall prepare a monthly income statement for the Foreign Trade Zone. A projection shall be made by the Office of Management and Budget to determine whether any action(s) would be required by the Airport, so that the Foreign Trade Zone operations shall not have a deficit by August 31, 2003.
29. That monthly, the cash balance of the Bridge Fund shall be transferred to the General Fund subfund, except for \$75,000 (\$25,000 Unreserved Balance and \$50,000 Reserve for Maintenance) and any required cash to be maintained per any bridge revenue bond covenants.

30. That all encumbrances and their corresponding appropriations outstanding at year-end shall lapse, except in Capital Funds, Grants, or Restricted Funds. Any appropriations, which had been encumbered at fiscal year 2002 year-end, shall be automatically re-appropriated as a budget revision on the first day of the fiscal year 2003.
31. That **Schedule B** amends revenues and appropriations to the Mayor's filed budget, and **Schedule C** amends staffing tables to the Mayor's filed budget.
32. That the Human Resources Director shall have the authority to automatically fill any authorized and budgeted V.O.E. position without a personnel requisition.
33. That the Mayor shall immediately file or cause to be filed a true copy of said approved budget, which shall include the budget for Sun Metro as adopted by the Sun Metro Board, and a copy of this Resolution, in the offices of the City Clerk and the County Clerk of El Paso.
34. That within thirty to forty-five days after the end of each quarter, the Office of Management and Budget shall provide a quarterly report and review with Council the status and year end projection of the budget.
35. That the City shall charge maximum interest or finance charge, as allowed by State or Federal laws, on any amounts past due to the City. Any amounts 120 days past due will be reported to the Credit Bureau, as allowed by law, and will be turned over to the City Attorney for collection.
36. That the adopted budget includes sufficient funds for an increase in pay for all City employees based upon revised salary schedules to be presented by the Mayor.
37. That the staffing of the Economic Development Department shall be in accordance with the filed form C and schedule C of the Budget Resolution. Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers. Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
38. That all the functions of the City Clerk's Department and records management of the Office of Management and Budget shall be transferred to the Municipal Court Department which shall be reorganized and renamed the Municipal Clerk's Department. The City Clerk's Department shall become the Office of the City Clerk and it and the Office of the Municipal Clerk shall become divisions of the Municipal Clerk's Department. The Municipal Clerk shall be both the Municipal Court Clerk and the City Clerk. Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers. Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
39. That the Zoning Board of Adjustment function of the Building Services Department shall be transferred to the Planning, Research and Development Department under the direction of the Planning Director. Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers. Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
40. That the Department of Building Services shall be renamed Building Permits and Inspections. That the Public Works Department shall be renamed Municipal Services Department. That the departments of Building Permits and Inspections, Engineering and Planning, Research and Development shall report to the Deputy CAO for Building and Planning Services, who shall also be responsible to oversee the Capital Improvement Plan. That the departments of Fleet Services, Municipal Services, Solid Waste Management, and Streets shall report to the Deputy CAO for Municipal Services. That the departments of OMB, Comptroller, Purchasing, Tax, Human Resources, and Economic Development shall report to the Deputy CAO for Financial and

Administrative Services/CFO. That Arts Resources shall be renamed Arts and Culture Department. That the departments of Arts and Culture, Community and Human Development, Library, Zoo, and Museums shall report to the Deputy CAO for Community Services.

41. That all functions of the History Museum be consolidated into the Department of Museums and the functions of the History Museum shall become a division of the Department of Museums. That the History Museum Director and the Wilderness Park Museum Director shall become the Deputy Director of the History Museum and the Deputy Director of the Wilderness Park Museum, respectively.  
Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers.  
Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
42. That the Quick Copy functions of Purchasing Department shall be transferred to the Library Department under the direction of the Library Director. Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers.  
Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
43. That the grant functions of the Mayor's Office be transferred to the Financial Services Department under the direction of the Deputy CAO of Financial and Administrative Services/CFO. Unless otherwise provided by ordinance or elsewhere in the budget resolution, the Mayor shall determine the effective date of the transfers.  
Further, that this budget resolution shall constitute the approval of the transfer of the incumbents.
44. That all necessary ordinances to accomplish the City's reorganization plan will be introduced and that all necessary budget transfers and staffing tables to implement the reorganization provided for in this budget are hereby approved.
45. That the Civic Center shall be a core function of the Economic Development Department.
46. That the Departments of Municipal Services, Community Services, and Building and Planning Services shall be established by ordinance. Ordinance No. 14479 shall be amended to rename the Department of Financial Services to the Department of Financial and Administrative Services.
47. That the City attorney shall prepare on or before October 2, 2002, all necessary documents to achieve any transfers of positions or functions that have not been completed at the time of the passage of the budget.
48. That the Personnel Department shall be renamed as the Human Resources Department and the Personnel Director's title shall be renamed Human Resources Director. That the Equipment Maintenance Department shall be renamed the Fleet Services Department. That the Equipment maintenance Director's title shall be renamed Director of Fleet Services. That the Arts Resources Department shall be renamed the Arts and Culture Department. That the Arts Resources Director's title shall be renamed Director of Arts and Culture.
49. That once per month yard waste pickup shall be phased out, beginning September 1, 2002. That yard waste will be picked up using the curbside collection system weekly.
50. Approve the allocation of 28th Year Community Development Block Grant Funding placed in contingency at the June 20th Special City Council Meeting and approve the FY 2002 Emergency Shelter Grant funding as allocated in the Proposed Budgets adopted on April 25, 2002.

NOTE: **Schedules A, B and C** on file in the City Clerk's Office.

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Cook noted that the Resolution language stated that the Mayor could make recommendations for privatization and consolidation of other City functions and remarked that the Mayor could make recommendations at any time without it being a part of the Resolution and requested that paragraph number 30 be deleted from the Budget Resolution.

Mr. Charlie McNabb, Chief Administrative Officer, remarked that the language had been utilized in previous Budget Resolutions and he would remove that language.

Representative Cook questioned whether a published reorganization plan was available and requested a copy of said document.

Mr. McNabb responded that the reorganization plan was a compilation of the budget Resolution and the approved Ordinances.

Representative Cook questioned whether or not it would be possible to add "Mayor and Council" to the language which stated "and the Mayor shall have the authority to make any necessary budget transfers and staffing tables to implement the reorganization".

Mr. McNabb responded yes and noted that the language was written as such due to the necessity of Council's approval for staffing tables changes. He suggested the language be written as "and that the necessary budget and staffing tables to implement the reorganization as set forth in this budget are hereby approved".

Representative Cook agreed to Mr. McNabb's language suggestion. He then commented on funding the Sin Frontera organization.

Mr. McNabb explained that the organization submitted two grant applications to the Community Development Department and that the monies had been placed in contingency.

Representative Cook explained that the City had delayed approving the funding to the organization until receipt of Judge Pena's ruling. He stated that due to public disparagement of the organization and its executive director he felt it important to read into the record portions of Judge Pena's ruling.

Representative Sumrall commented on language in Judge Pena's ruling regarding "outside entities interfering with management".

Mayor Caballero remarked that the language was not in reference to the City as the City has an obligation to "meddle" as the City was the trustee of the funds.

Representative Escobar noted that serious allegations had been made and it was necessary for the City to exercise its due diligence.

Mayor Caballero thanked Judge Pena for his ruling and questioned whether additional funding for the organization might be approved so as to serve the needs of that community.

Representative Medina commented on the allegations and thanked Judge Pena on his ruling.

Representative Sariñana noted that since 1996 the organization has had troubles and added that he was pleased with the findings.

Mr. Enrique Moreno, Sin Fronteras Organizing Project representative, introduced members of the



organization and thanked Judge Pena for the public service he provided on behalf of the organization. He commented on Judge Pena's ruling and the need for open dialogue for all entities involved.

Mayor Caballero explained that the City would provide funding for the Sin Fronteras organization.

Representative Sumrall suggested that Judge Pena's ruling be made available in Spanish.

Representative Sariñana commented on the "Hotel/Motel tax increase" and questioned the possibilities of increasing the bridge toll fees.

Mayor Caballero explained that the issue regarding increasing bridge tolls would be addressed at a later date.

Representative Sariñana recommended increasing the vehicular bridge fees according to axle(s) rather than increasing the hotel/motel tax. He stated that he would not support increasing the hotel/motel tax at this time.

Mr. Chapman noted that increasing bridge fees would be addressed at a later date; however, not at the present time. He noted that vehicular traffic at the bridges has been down 1.1 million and commented that the City would be financing the CVB at a cost of \$1.2 million.

Representative Sariñana rebutted that increasing the hotel/motel tax might have an adverse affect on hotel occupancy percentages. He suggested a study be done regarding the impact of raising the hotel/motel tax and its affect on hotel room occupancy.

Mr. Chapman explained the budgetary functions regarding bridge tolls and the General Fund.

Representative Cobos commented on \$12.9 million in Certificates of Obligation monies and noted that it was his recollection that during budget hearings the City had budgeted \$30 million in Certificates of Obligation.

Mr. Chapman responded that he had provided a tentative list of capital acquisition items, not infrastructure, and explained that he would come before Council at a later date prior to issuance of the Certificates of Obligation and at that time he would provide a specific list of capital acquisition items and any infrastructure projects.

Representative Cobos questioned whether any outstanding Certificates of Obligation monies currently existed.

Mr. Chapman responded yes.

Mr. McNabb explained the differences between infrastructure projects and capital acquisition items. He noted that all monies allocated for equipment has been utilized.

Representative Cobos noted he would not support this item.

Mr. Chapman reiterated that a list of capital acquisition items would be brought before Council at the time the Certificates of Obligation would be issued.

Representative Cobos commented on transferring the Building Permits & Inspections Department, Land Development section to the Engineering Department.

Mr. McNabb responded he would be able to provide figures regarding transferring Subdivision, Inspection and Permitting sections.

Mayor Caballero noted that changes to the Resolution could be made at a later date.

Representative Sariñana questioned why an Ordinance had not been prepared regarding the transference of Land Development to the Engineering Department.

Mr. McNabb clarified that the information had been prepared and would be added to the Resolution if Council Members so desired and noted that Representative Cobos' request was to transfer all engineers, no matter their current position/department, into the Engineering Department.

Representative Sumrall questioned whether or not the proposed pay raises for the firefighters had been noted in the budget.

Mr. Chapman remarked that a tentative COLA had been listed in the budget for all City employees not under a contract.

Mr. McNabb clarified that non-uniform employees would receive a general salary increase of 2%, June 1, 2003.

Representative Medina expressed that he was adamantly opposed to increasing the hotel/motel tax from the current 5.5% to 7.0% and added that the increase was necessary due to the County of El Paso not contributing to the Convention and Visitors Bureau.

Mayor Caballero agreed with Representative Medina; however, explained that either the CVB's budget or another City Department's budget would be decreased by the \$1.2 million.

Mr. McNabb stated that the increase in hotel/motel tax was necessary to balance the CVB budget.

Representative Medina stated he would not support raising the hotel/motel tax.

Representative Cook asked Mr. Bill Blasiek, Director of the Convention and Visitor's Bureau, to comment on other cities' hotel/motel figures and compare those figures with El Paso.

Mr. Blasiek responded that a review of 15 other Southwestern cities was conducted and explained El Paso was at or near the top of the competitive list of those cities. He noted that the average room rate in El Paso was \$55.00 and that with the 7% increase the average additional cost would be \$0.82. He added that the \$0.82 impact did not change El Paso's competitive position within the 15 other Southwestern cities.

Mayor Caballero questioned how the CVB would manage if the City did not provide the \$1.2 million dollars.

Mr. Blasiek advised that he would have to cut staff, marketing issues, etc.

Representative Power stated that the current administration was committed to tourism and many initiatives have been established such as the restoration of the Plaza Theatre; however, he mentioned that the CVB had no monies to support El Paso. He discussed a proposal for an "Old West Town" and stated that tourism would not grow if promotion of El Paso did not exist, coincidentally, promotion could not exist without a proper budget. He stated that the only alternative for providing a proper budget for CVB's marketing budget would be to raise the hotel/motel tax.

Representative Sariñana stated that the City had monies in a reserve fund and questioned whether or not it would be possible to change the rental car tax language.

Mayor Caballero stated that changing the rental car tax language would require legislative action.

Mr. McNabb clarified that if the law were changed the effective date would be September 2003. He explained that the fund balance was funded by property taxes.

Representative Cobos questioned what the total amount of monies would be generated by the 5.5% tax.

Mr. Chapman responded \$4.4 million of which \$2 million would be go toward the debt service. He explained the remaining \$2.4 million would be placed in the operations of CVB.

Representative Rodriguez questioned why the Information Technology and Human Resources Departments report to the Deputy CAO for Financial and Administrative Services/CFO.

Mr. McNabb responded that the department's name has been changed to the "Department of Administrative and Financial Services" and with the addition of four Deputy CAOs the departments have been equally divided.

Representative Rodriguez noted that Information Technology should not be under any of the Deputy CAOs as all City departments utilize the department.

Mayor Caballero explained that the alternative would be to have Information Technology Department report to either the Mayor or CAO.

Mr. McNabb explained the reasoning why the Information Technology Department was placed under the Financial and Administrative Services Deputy CAO and proposed that the Information Technology Department report directly to him.

Representative Medina reiterated his concerns regarding raising the hotel/motel tax to 7%.

Ms. Pat Valdez-Rios, Hotel Association representative and General Manager of Chase Suites, stated that on behalf of the Board they are adamantly opposed to the increase.

Representative Cobos questioned Ms. Valdez-Rios as to whether or not the increase would have a detrimental effect on the occupancy rate.

Ms. Valdez-Rios responded correct; however, the effect would be long-term. She noted that the Hotel Association had come before the County Commissioners on several occasions and requested that they not increase taxes.

Mayor Caballero questioned how the Hotel Association had determined that the County should not be levying taxes.

Ms. Valdez-Rios did not respond.

Representative Power stated that he did not believe the hotel/motel tax increase had ever created a decrease in occupancies.

Representative Cobos moved to delete the Certificates of Obligation item (item number four) from the Resolution, Representative Cook seconded.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar and Representative Sariñana voted Nay.

Representative Cobos voted Aye.

Representative Cook moved to delete the item (item number 14) which stated that the Hotel/Motel taxes be used for the operation of the Convention and Visitor's Bureau and that there be an increase from 5.5 to 7.0%, Representative Sariñana seconded.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Cook and Representative Power voted Nay.

Representative Medina, Representative Escobar, Representative Sariñana and Representative Cobos voted Aye.

Mayor Caballero voted Nay to break the tie.

Representative Cook moved to delete the following language from the Resolution (Resolution item 30) as "that the Mayor shall make, as he deems prudent, further recommendations to the Council for privatization and consolidation of other City functions". Representative Rodriguez seconded.

Representative Medina suggested not deleting the language but add that any City Council Member could bring to City Council recommendations for privatization and consolidation.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar, Representative Sariñana and Representative Cobos voted Aye.

Representative Rodriguez moved to reposition the Information Technology Department report directly to the Chief Administrative Officer. Representative Sariñana seconded.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar, Representative Sariñana and Representative Cobos voted Aye.

Representative Cook moved that the Subdivision, Plan Review and Field Inspection functions of the Building Services Department be transferred to the Engineering Department under the direction of the Director of Engineering. He subsequently read additional information into the record and requested the paragraph be numbered " 52 " of the Budget Resolution. Representative Cobos seconded.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar, Representative Sariñana voted Aye. The voting was interrupted as Mr. Chapman explained that the paragraph would not be numbered 52.

Representative Cook moved to approve the Budget Resolution as presented and modified.

Representative Cobos voted Aye.

The Budget Resolution motion passed unanimously.

Representative Sumrall responded she had made a motion to approve the Budget Resolution initially.

Mr. McNabb explained that an Ordinance would require modification as it was decided that the Information Technology Department would report to the CAO. He suggested that Council approve the effective date of September 30, 2002, for the Information Technology Department to report directly to him to allow time to compose the appropriate paperwork.

Representative Cook questioned whether the Resolution would need to be reconsidered to allow for the amendment of the Information Technology Department reporting to the CAO.

Ms. Rodriguez responded yes.

Representative Cook moved to reconsider the item pertaining to the Information Technology Department. Representative Cobos seconded. The vote was unanimous for the reconsideration motion.

Representative Cook moved to approve the Budget Resolution with the exception that the Information Technology Department would be moved under the direction of the CAO effective September 30, 2002. Representative Sariñana seconded.

Mr. McNabb added that the paperwork would be brought to Council Members at a later date.

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar, Representative Sariñana and Representative Cobos voted Aye.

Representative Cook asked Representative Sumrall if she would move to approve the Budget Resolution as amended to include the amendment regarding the budget transfers and staffing tables for the reorganization of City departments.

Representative Sumrall moved to approve the Budget Resolution as amended, Representative Cook seconded.

Mr. McNabb then read the amendment pertaining to item number 44 into the record as "That all necessary Ordinances to accomplish the City's reorganization plan will be introduced and that all necessary budget transfers and staffing tables to implement the organization provided for in this budget are hereby approved".

The vote was as follows:

Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Cook, Representative Power, Representative Escobar, Representative Sariñana and Representative Cobos voted Aye.

Mayor Caballero thanked Council Members for approving the budget and added that the re-organizational structure would now be in traditional form.

Mr. McNabb thanked Council Members for their efforts in working with City staff during the process.

Representative Sumrall stated that many other Texas cities were in serious debt due to events of September 11, 2001, and noted that the citizens of El Paso would not be dealt with tax increases.

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance Amending Title 12 (Vehicles And Traffic), Chapter 12.44 (Stopping, Standing And Parking Generally), Section 12.44.180 (Regulations Pertaining To Certain Special Situations) Amending Paragraph (B) (16) To Reserve Additional Parking Spaces For The State District Judges. The Penalty Being As Provided In Section 12.48.010 Of The El Paso Municipal Code.
- B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to delete an existing location on Rojas Drive, both sides from Chito Samaniego Drive to Adabel Drive. The penalty as provided in Section 12.84.010 of the El Paso Municipal Code.
- C. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking prohibited at all times on certain streets) to revise an existing location on Rojas Drive between Kaiser Drive and a point 1,000 feet east of Lee Trevino Drive, on both sides of Rojas Drive. The penalty as provided in Section 12.84.010 of El Paso Municipal Code.
- D. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.040 (Schedule IV - Parking Prohibited During Certain Hours on Certain Streets.) Paragraph 12.88.040 12.88.040 (J) (No Parking, 7:00 a.m. to 4:00 p.m.) to add a new location at Sara Danielle Drive, both sides. The penalty as provided in section 12.84.010 of the El Paso Municipal Code.
- E. An Ordinance amending Ordinance No. 15073, providing for Art in Municipal Places, to provide for Certificates of Obligation as an additional source of funding for acquisition or commissioning of art for municipal places and to provide technical corrections.
- F. An Ordinance levying taxes for the Fiscal Year 2002-2003.
- G. An Ordinance to amend Title 6 (Vehicle For Hire), Chapter 6.16 (Taxicabs), Section 6.16.090 (Permit Fees – Granting Of Operating Permit), Subsection A, to reduce the Permit Fee for the Permit Period of September 1, 2002, to August 31, 2003.
- H. An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.12 (Hotel Room Tax) of the City Code by increasing the levy to seven percent of the consideration paid by the occupant of such room and amending the use of the proceeds. The Penalty being as provided in Section 1.08.010 of the City Code.

**PUBLIC HEARING WILL BE HELD SEPTEMBER 10, 2002 FOR ITEMS A – H**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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**ADDITION TO THE AGENDA**

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Transfer of Title and Copyrights between the City of El Paso and Tracy Jamison for the procurement of a symbol/seal that may be used by the City.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and letters, including all understandings and assurances contained therein, and accept a grant award for a Texas Highway Traffic Safety Program Grant in the amount not to exceed \$77,133.00 from the Texas Department of Transportation, for the purpose of creating Safe Communities Project to develop and maintain a database of motor vehicle crashes and conduct related programs; that the Chief of Police be authorized to sign and submit any necessary revisions to the operational plan; that the grant officials be as designated in the agreement; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. In-kind match required in the amount of \$47,403.00.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and letters, including all understandings and assurances contained therein, and accept a grant award for a Texas Highway Traffic Safety Program Grant in the amount not to exceed \$200,000.00 from the Texas Department of Transportation, for the purpose of conducting weekly enforcement waves of DWI detection and apprehension; that the Chief of Police be authorized to sign and submit any necessary revisions to the operational plan; that the grant officials be as designated in the agreement; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments or corrections to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. In-kind match required in the amount of \$142,846.00.

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Jose Galvez covering the exhibition, "Patriots, " at the Main Library and, if possible, additional branch library locations, beginning in the month of September, in conjunction with a program being presented by Mr. Galvez on September 21, 2002. The exhibit consists of a series of photos taken in El Paso in the days following September 11, and other images focusing on patriotism and love of country. The cost of the exhibit is included in the cost of the program.

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\*Motion made, seconded and unanimously carried to appoint Debra C. Garcia to the Fair Housing Task Force by Representative Escobar.

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\*Motion made, seconded and unanimously carried to appoint Tomas Cardenas to the Art Museum Advisory Board by Representative Escobar.

.....  
\*Motion made, seconded and unanimously carried to appoint Rosalva Hernandez to the Fair Housing Task Force by Representative Medina.

.....  
\*Motion made, seconded and unanimously carried to approve the request to allocate Three Hundred Dollars (\$300.00) from District 4 Discretionary Funds to the El Paso Police Department for the Northeast Regional Command Center's Pride Day activities, from Representative John Cook.

.....  
Motion made, seconded and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- |                 |  |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY               |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY     |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS                        |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES  |

- A. Mary Carmen, et. al., 02-COL-009 (551.071)
- B. John & Terry Carroll, 02-COL-008 (551.071)


Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

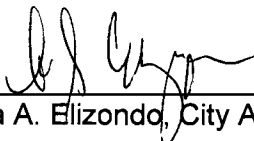
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\*Motion made, seconded and unanimously carried to postpone one (1) week Mary Carmen, et. al., 02-COL-009 (551.071)

.....  
\*Motion made, seconded and unanimously carried to postpone one (1) week John & Terry Carroll, 02-COL-008 (551.071)

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Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried to adjourn this meeting at 12:00 p.m.

APPROVED AS TO CONTENT:                      APPROVED AS TO FORM:

  
Richarda Duffy Momsen, City Clerk

  
Lisa A. Elizondo, City Attorney